

REFERENCE TITLE: planned communities; energy saving devices

State of Arizona
House of Representatives
Forty-ninth Legislature
First Regular Session
2009

HB 2542

Introduced by
Representatives Cinema, Campbell CH, Meza: Campbell CL, Lujan

AN ACT

AMENDING SECTION 33-1816, ARIZONA REVISED STATUTES; RELATING TO PLANNED COMMUNITIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 33-1816, Arizona Revised Statutes, is amended to
3 read:

4 33-1816. Solar energy devices; energy saving devices;
5 reasonable restrictions; fees and costs

6 A. Notwithstanding any provision in the community documents, an
7 association shall not prohibit:

8 1. The installation or use of a solar energy device as defined in
9 section 44-1761.

10 B. An association may adopt reasonable rules regarding the placement
11 of a solar energy device if those rules do not prevent the installation, ~~OR~~
12 impair the functioning of the device, ~~or~~ restrict its use or adversely affect
13 the cost or efficiency of the device.

14 2. THE INSTALLATION OR USE OF THE FOLLOWING ENERGY SAVING DEVICES:

15 (a) AWNINGS, SHUTTERS, TRELLISES AND RAMADAS.

16 (b) ATTIC OR GARAGE FANS AND ANY ASSOCIATED VENTS OR LOUVERS.

17 (c) ENERGY EFFICIENT OUTDOOR LIGHTING DEVICES INCLUDING LIGHT FIXTURES
18 THAT CONTAIN A COILED OR STRAIGHT FLUORESCENT LIGHT BULB, AND ANY SOLAR
19 RECHARGING PANEL, MOTION DETECTOR OR OTHER EQUIPMENT THAT IS CONNECTED TO THE
20 LIGHTING DEVICE.

21 (d) CLOTHESLINES.

22 B. AN ASSOCIATION MAY ADOPT REASONABLE RULES REGARDING THE PLACEMENT
23 AND COLOR OF AN ENERGY SAVING DEVICE IF THOSE RULES DO NOT PREVENT THE
24 INSTALLATION OR IMPAIR THE FUNCTIONING OF THE DEVICE, RESTRICT ITS USE OR
25 ADVERSELY AFFECT THE EFFICIENCY OF THE DEVICE.

26 C. Notwithstanding any provision of the community documents, the court
27 shall award reasonable attorney fees and costs to any party who substantially
28 prevails in an action against the board of directors of the association for a
29 violation of this section.